REMARKS

Claims 1-3 and to 22-32 are now pending in the application, with claims 1, 23, 31 and 32 being the independent claims. Reconsideration and further examination are respectfully requested.

In the Office Action, claims 1-5 and 12-21 were rejected under 35 USC § 102(e) in view of U.S. Patent 6,839,737 (Friskel); and claims 6-11 and 19 were rejected under 35 USC § 103(a) over Friskel in view of U.S. Patent Application Publication 2004/0059789 (Shum). Withdrawal of these rejections is respectfully requested for the following reasons.

The present invention concerns systems, methods and techniques for reporting and/or retrieving statuses regarding current e-mail message receiving and handling capability. For example, the present invention may be utilized to alert a user when an intended recipient of an e-mail message is not currently available at the designated e-mail address. Such a situation might arise, for instance, where the intended recipient has an e-mail address that is no longer valid or where the intended recipient has indicated that he or she is not currently available, e.g., by setting an automatic out-of-office message to be sent in reply to all incoming e-mail messages.

In the preferred embodiments of the invention, the user (i.e., the e-mail sender) is notified of any known unavailability soon after he or she indicates who the designated recipient is. In any event, the user preferably is notified before he or she is required to spend a significant amount of time typing the e-mail message, so that the effort may be abandoned if the intended recipient is not in fact currently reachable (or at least not reachable within a desired timeframe).

More specifically, independent claim 1 concerns a technique for use at a server that is accessible by a plurality of email sending applications. A table of the statuses for a plurality

of email addresses is maintained, with the table being searchable by email address, and the status for each email address indicating the current email message receiving and/or handling capability at such email address. At some point, an inquiry is received from a sender application regarding the status of a specified email address. In response to such an inquiry, the table is searched for, and then the status transmitted for, the specified email address.

The foregoing combination of features is not believed to be disclosed or suggested by the applied art. In fact, the applied art does not appear to say anything at all about maintaining a table of statuses for a plurality of email addresses, where the status for each email address indicates current email message receiving and handling capability at such email address.

Independent claim 1 has been amended above, and therefore the particular combination of limitations recited in it have not previously been considered by the Examiner. However, Friskel has been carefully reviewed, and is not seen to disclose or to suggest at least the above-identified feature of the invention.

In this regard, Friskel, the primary prior-art reference applied in the Office Action, concerns a system that attempts to integrate e-mail and instant messaging. The main contributions of Friskel involved the provision of additional capabilities which may be exercised by the recipient of an e-mail message.

Specifically, Friskel concerns a system in which the recipient of an e-mail message is provided with a visual indication as to whether or not the sender of the e-mail message is available for real-time messaging. See, e.g., column 3 lines 20-25; and column 5 lines 4-42. In the preferred embodiment described in Friskel, this visual indication is displayed in the user's e-mail Inbox.

Friskel also discusses the provision of convenient user interfaces for quickly initiating real-time messaging after an e-mail message has been received and the sender is available for real-time messaging. In short, Friskel primarily is directed to techniques for facilitating two-way non-email communication upon receipt of an e-mail message.

Thus, while Friskel can be said to generally relate to the provision of certain status information, the status information presented to an e-mail recipient in Friskel is qualitatively different than the status information of the present invention. Moreover, Friskel's status information is used for an entirely different purpose than that of the present intention. As indicated above, the status information used in Friskel reveals an e-mail sender's availability for real-time messaging, rather than anything about someone's capability to receive e-mail.

In fact, Friskel's status information specifically excludes any information concerning e-mail, which is not considered in Friskel to be real-time messaging. See, e.g., column 1 lines 15-19. This is in direct contrast to the present invention, which specifically concerns status information regarding e-mail capability.

The other applied art also has been studied, but is not seen to provide any additional disclosure that would make up for the shortcomings of Friskel in this regard. As noted above, the Office Action does not appear to refer to any other portion of Friskel in this regard.

Accordingly, independent claim 1 is believed to be allowable over the applied art.

Independent claims 23, 31 and 32 are directed to apparatuses, methods and techniques for alerting a user prior to the user sending an e-mail message. Initially, an indication is obtained that a user wishes to send an e-mail message to a designated e-mail address. In response to such indication, a request is transmitted regarding a current availability of a recipient that is associated with the designated e-mail address. A reply to the request is then received that indicates the availability of the recipient at the designated e-mail address.

Finally, the user is alerted, prior to the user sending the e-mail message, if the reply indicates that the recipient is not currently reachable at the designated e-mail address.

The foregoing combination of features also is not disclosed or suggested by the applied art. As noted above, Friskel has nothing whatsoever to do with status regarding e-mail message availability or capability.

Also, certain limitations in the claims as initially filed are closely related to the above-referenced feature of alerting the user, prior to the user sending the e-mail message, if the reply indicates that the recipient is not currently reachable at the designated e-mail address. For example, dependent claim 2, both currently and in its previous form, recites that the status indicates if (1) the email address of the recipient email address is not valid or no longer valid, (2) the recipient email address is set in an auto-reply mode, or (3) the auto-reply mode for the recipient email address is not set.

In the Office Action, it was asserted that column 7 lines 25-30 of Friskel shows this feature of the invention. This is, in fact, the only portion of the applied prior art that is referenced in the Office Action that appears to relate, in any manner whatsoever, to the above-referenced feature of the invention.

This referenced portion of Friskel discusses the e-mail recipient's "hidden contacts file" 112. As discussed in other portions of Friskel, file 112 in Friskel's system stores the statuses for various e-mail senders who have given their permission to provide such status information to the e-mail recipient. Thus, at least two distinctions can be made between column 7 lines 25-30 of Friskel and the above-referenced feature of the invention.

First, as noted above, the status information used in Friskel indicates the sender's availability for real-time messaging, specifically excluding e-mail, which is not considered in Friskel to be real-time messaging. See, e.g., column 1 lines 15-19.

Second, the subject portion of Friskel is only saying that Friskel's visible status indicator indicates that no information is available if the e-mail sender is not one of the persons listed in file 112, i.e., is not someone who has authorized the e-mail recipient to know his or her status information. It does not say anything about status regarding email message availability.

The other applied art also has been reviewed, but is not seen to provide any additional disclosure that would make up for the shortcomings of Friskel in this regard. Once again, nothing in the Office Action points to any other portions of Friskel in this regard.

Accordingly, independent claims 23, 31 and 32 also are believed to be allowable over the applied art.

The other claims in the application depend from the independent claims discussed above and are therefore believed to be allowable for at least the same reasons. In addition, each dependent claim recites an additional feature of the invention that further distinguishes the invention from the applied art. Accordingly, the individual consideration/reconsideration of each on its own merits is respectfully requested.
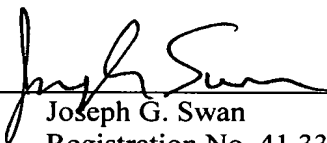
In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and an indication to that effect is respectfully requested.

If there are any fees due in connection with the filing of this paper that have not been accounted for in this paper or the accompanying papers, please charge the fees to Deposit Account No. 08-2025. If an extension of time under 37 C.F.R. 1.136 is required for the filing of this paper and is not accounted for in this paper or the accompanying papers, such an extension is requested and the fee (or any underpayment thereof) should also be charged to Deposit Account No. 08-2025. A duplicate copy of this page is enclosed for that purpose.

Respectfully submitted,

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